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RADEMATIS		Application Number 09/648	,211
		iling Date Augus	et 25, 2000
TRANSMITTAL FOR	M	First Named Inventor John	6. Flowers
(to be used for all correspondence during pe filed application)	endency of	Group Art Unit Number 2131	
		xaminer Name Aravir	d K. Moorthy
Total Number of Pages in This Submission	7*	attorney Docket Number 23327	06895
ENCLO	OSURES	check all that apply)	
Fee Transmittal Form (in duplicate)		Issue Fee Transmittal	
Check Enclosed		Letter to Chief Draftsperso	
Return Receipt Postcard		I — ·	
	_	Formal Drawing(s):	
Response to Notice to File Missing Part		[ ] Sheet(s) of Figure	
Assignment & Recordation Cover Sheet  Declaration		Appeal Communication to Interferences	Board of Appeals and
Power of Attorney		Appeal Communication to (Appeal Notice, Brief, Rep	
Application Data Sheet			· · · ·
Supplemental Information Disclosure St PTO/SB/08A	atement &	Certified Copy of Priority D	ocument(s)
Copies of IDS Cited Reference	es	After Allowance Communic	eation to Group
Request for Corrected Filing Receipt		The Allowance community	allon to Group
Request for Correction of Recorded Ass	signment		
Amendment/Response: [ ] Page(s)		<b>↓</b>	
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REMARKS: *Page count does not include ci	ted referenc		
\ () . SIGNAT	URE OF	TORNEY OR AGENT	
Signature:			
Attorney/Reg. No.: Hector J. Ribera, Reg	. No. 54,397	Dat	ed: Jan 10, 2005
C	ERTIFICA	E OF MAILING	V
I hereby certify that this correspondence, including the first class mail in an envelope addressed to: Commis If the Express Mail Mailing Number is filled in below, "Express Mail Post Office to Addressee" service pure	ne enclosures i ssioner for Pate then this corre	ntified above, is being deposited with the s, P.O. Box 1450, Alexandria, VA 22313- condence is being deposited with the Unit	1450 on the date shown below.
Signature:	•		
Typed or Printed Name: Hector J. Ribera	3	Dat	ed: 10 7005

Express Mail Mailing Number (optional):

EE TRANSMITTAL	Complete if Known			
TEE I KANSIVII I AL	Application Number	09/648,211		
	Filing Date	August 25, 2000		
for FY 2005	First Named Inventor	John S. Flowers		
Patent fees are subject to annual revision.	Examiner Name	Aravind K. Moorthy		
Applicant claims small entity status. See 37 CFR 1.27	Art Unit	2131		
TOTAL AMOUNT OF PAYMENT (\$) 180.00	Attorney Docket No.	23327-06895	-	

METHOD OF PAYME	NT (check all that apply)				F	FEE CALCULATION (continued)	
Check Credit Card Deposit Account:	Money Order Other None	3. AI	DITION	AL FEE	S		
Deposit Account Number	19-2555	Large	Entity	Small	Entity	Fee Description	Fee Paid
Deposit Account Name	Fenwick & West LLP	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
	orized to: (check all that apply)	1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
1 =	below 🛛 Credit any overpayments	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
	s) or any underpayment of fee(s) due \$1.17 during the pendency of this	1053	130	1053	130	Non-English specification	
application	31.17 during the pendency of this	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
	below, except for the filing fee to	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	·
the above-identified depo	osit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CA	ALCULATION	1251	120	2251	60	Extension for reply within first month	
1. BASIC FILING FEE		1252	450	2252	225	Extension for reply within second month	
Large Entity Small Entity		1253	1020	2253	510	Extension for reply within third month	
Fee Fee Fee	Fee Description Fee Paid	1254	1,590	2254	795	Extension for reply within fourth month	
Code (\$) Code (\$)		1255	2,160	2255	1,080	Extension for reply within fifth month	
	<u> </u>	1401 1402	500 500	2401 2402	250 250	Notice of Appeal	
		1402	1000	2402	500 500	Filing a brief in support of an appeal  Request for oral hearing	<del> </del>
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
· ·		1452	500	2452	250	Petition to revive - unavoidable	
SUBTOT	TAL (1) (\$) 0	1453	1,500	2453	750	Petition to revive - unintentional	
2. EXTRA CLAIM FEES	FOR UTILITY AND REISSUE	1501	1,400	2501	700	Utility issue fee (or reissue)	
	a Claims Fee from Fee Paid	1502	800	2502	400	Design issue fee	
Total Claims -20**=	x =	1503	1100	2503	550	Plant issue fee	
Independent Claims -3*** =	х =	1460		1460		Petitions to the Director	
Multiple Dependent		1807	50	1807	50	Processing fee for Provisional Applications	
Large Entity Small Entity	*	1806	180	1806	180	Submission of Information Disclosure Stmt	180
Fee Fee Code (\$)	Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 50 2202 25	Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 200 2201 100	Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1203 360 2203 180	Multiple dependent claim, if not paid	1801	790	2801	395	Request for Continued Examination (RCE)	
1204 200 2204 100	**Reissue independent claims over original patent	1802	900	1802	900	Request for expedited examination of a design application	
1205 50 2205 25	**Reissue claims in excess of 20 and over original patent	Other f	ee (specif	v)			·
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or number previously paid, if g	greater; For Reissues, see above	*Reduc	ed by Basic	Filing F	ee Paid		
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SUBMITTED BY						Complete (if applicable)	

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Hedtor J_Ribera	Registration No. (Attorney/Agent)	54,397	Telephone (650) 335-7192
Signature	hhbera		Date	Jan 10, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PLICANT:

John S. Flowers et al.

**APPLICATION NO.:** 

09/648,211

FILING DATE:

August 25, 2000

TITLE:

Method And System For Detecting A Vulnerability In A Network

**EXAMINER:** 

Aravind K. Moorthy

GROUP ART UNIT:

2131

ATTY. DKT. NO.:

23327-06895

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

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## INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

	within three months of the filing date of the application, or date of entry into
	the national stage of an international application, or before the mailing date of
	a first office action on the merits, whichever event last occurred;
$\Box$	hefore the mailing of a first official action after the filing of a request for

before the mailing of a first official action after the filing of a request for

continued examination (RCE) under 37 CFR § 1.114;

		indis of the fiffing date of this hadonal application of the date of
entry c	of the na	ational stage in an international application, or after the mailing
date of	f the firs	st official action on the merits, whichever event last occurred, but
before	the ma	iling date of the first to occur of either: (1) a final action under
37 CF	R §1.11	3; or (2) an action that otherwise closes prosecution in the
applica	ation, ai	nd:
$\boxtimes$	attach	ned hereto is the fee set forth under 37 CFR §1.17(p) for
	subm	ission of this Information Disclosure Statement under 37 CFR.§
,	1.97(	c); OR
	Appli	icant certifies pursuant to 37 CFR § 1.97(e) that:
		each item of information contained in this Information
	·	Disclosure Statement was first cited in a communication from
		a foreign patent office in a counterpart foreign application not
		more than three months prior to the filing of this Statement;
		OR
		no item of information contained in this Information
		Disclosure Statement was cited in a communication from a
		foreign patent office in a counterpart foreign application and,
		to the knowledge of the person signing this certification after
		making reasonable inquiry, no item of information contained
		in this Statement was known to any individual designated
		under 37 CFR § 1.56(c) more than three months prior to the
		filing of this Statement;
on or	before	the payment of the issue fee but after the mailing date of the first
to occ	cur of ei	ther: (1) a final action under 37 CFR § 1.113; (2) a notice of
allow	ance un	der 37 CFR § 1.311; or (3) an action that otherwise closes
prose	cution i	n the application, and:
	Appli	cant certifies pursuant to 37 CFR. § 1.97(e) that:
		each item of information contained in this Information
		Disclosure Statement was cited in a communication from a
		foreign patent office in a counterpart foreign application not
		more than three months prior to the filing of this Statement;
		no item of information contained in this Information
		Disclosure Statement was cited in a communication from a
		foreign patent office in a counterpart foreign application and,
		to the knowledge of the person signing this certification after
		making reasonable inquiry, no item of information contained

		in this Statement was known to any individual designated
		under 37 CFR § 1.56(c) more than three months prior to the
		filing of this Statement; AND
		attached hereto is the fee set forth under 37 CFR §1.17(p) for
		submission of this Information Disclosure Statement under 37 CFR.§
		1.97(c); OR
		after the payment of the issue fee. Applicant requests that the information
		contained in this Information Disclosure Statement be placed in the file
		according to 37 CFR § 1.97(i), although the information may not be
		considered by the USPTO.
	$\boxtimes$	Enclosed is a copy of each listed reference that may be material to the examination of
		this application, and for which there may be a duty to disclose.
,		This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior
		application No, filed on, and the references cited therein are hereby
		referenced, but are not required to be provided in this application under 37 CFR §
		1.98(d).
		This application was filed after June 30, 2003. Therefore, pursuant to the waiver of
		the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each
		U.S. Patent Application Publication are not required to be submitted. Copies of any
		foreign patent documents and non-patent literature cited herein are enclosed.
		Each item of information contained in this Information Disclosure Statement was
		cited in a communication from a foreign patent office in a counterpart application,
		and the communication was not received by any individual designated in 37 CFR §
		1.56(c) more than thirty days prior to the filing of this Information Disclosure
		Statement. 37 CFR § 1.704(d).
	П	Applicant submits that no fee is required for the consideration of this Information
	<b>—</b> .	Disclosure Statement.
	Consid	eration of the listed references and favorable action are solicited.
	Consid	Respectfully submitted,
		JOHN SI FLOWERS ET AL.
	1	1// 1-050
Dated:	a	b, 2005  By: 4 Myer C
	7	Hector J. Ribera, Reg. No.: 54,397
		Fenwick & West LLP Silicon Valley Center
		801 California Street
		Mountain View, CA 94041
		Tel.: (650) 335-7192
		Fax.: (650) 938-5200

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
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	Substitute for fo	orm 1449/	VPTO		Complete if Known
INEO	INFORMATION DISCLOSURE			Application No.	09/648,211
STATEMENT BY APPLICANT		Filing Date	August 25, 2000		
		First Named Inventor	John S. Flowers		
			·	Art Unit	2131
				Examiner Name	Aravind K. Moorthy
Sheet	1	of	2	Attorney Docket Number	23327-06895

			U.S. PAT	ENT DOCUMENTS
		Document No.		
Examiner Initials*	Cite No.1	Number – Kind Code² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
* •	A1	US-6,775,657 B1	08-10-2004	Baker
	A2	US-6,771,597 B2	08-03-2004	Makansi et al.
	А3	US-6,735,702 B1	05-11-2004	Yavatkar et al.
	A4	US-6,735,169 B1	05-11-2004	Albert et al.
	A5	US-6,708,212 B2	03-16-2004	Porras et al.
	A6	US-6,687,833 B1	02-03-2004	Osbome et al.
	A7	US-6,578,147 B1	06-10-2003	Shanklin et al.
	A8	US-6,574,737 B1	06-03-2003	Kingsford et al.
	A9	US-6,502,135 B1	12-31-2002	Munger et al.
	A10	US-6,484,203 B1	11-19-2002	Porras et al.
	A11	US-6,470,384 B1	10-22-2002	O'Brien et al.
	A12	US-5,961,644	10-05-1999	Kurtzberg et al.
	A13	US-5,923,646	07-13-1999	Mandhyan
	A14	US-5,919,257	07-06-1999	Trostle
	A15	US-5,850,516	12-15-1998	Schneier

	FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document				
Examiner Initials*	Cite No.1	Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>	
	B1	WO 03/100617 A1	12-04-2003	Lucid Security Corporation		
	B2	WO 02/19661 A2	03-07-2002	Top Layer Networks, Inc.		
	В3	WO 01/84270 A2	11-08-2001	Internet Security Systems, Inc.		

Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO Complete if Known Application No. 09/648,211 INFORMATION DISCLOSURE Filing Date August 25, 2000 STATEMENT BY APPLICANT **First Named Inventor** John S. Flowers Art Unit 2131 **Examiner Name** Aravind K. Moorthy Sheet of Attorney Docket Number 23327-06895

		OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, senal, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
	C1·	Anonymous, Microsoft Computer Dictionary, 2002, Microsoft Press, Fifth Edition, page 291.	
	C2	PHIPATANASUPHORN et al., Vulnerability of Sensor Networks to Unauthorized Traversal and Monitoring, IEEE Transactions On Computers, March 2004, pp. 364-369.	
	C3	YURCIK, William, Controlling Intrusion Detection Systems by Generating False Positives: Squealing Proof-of-Concept, Proceedings of the 27 <sup>th</sup> Annual IEEE Conference on Local Computer Networks, 2002, pp. 134-135.	
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Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>8</sup>Applicant is to place a check mark here if English language Translation is attached.